

CITY OF BELMONT

PLANNING COMMISSION

ACTION MINUTES

TUESDAY, JULY 15, 2008, 7:00 PM

Chair Parsons called the meeting to order at 7:00 p.m. at One Twin Pines Lane, City Hall Council Chambers.

1. ROLL CALL

Commissioners Present: Parsons, Horton, Mercer, Reed, Frautschi
Commissioners Absent: Mayer, McKenzie

Staff Present: Community Development Director de Melo (CDD), Assistant Planner Gill (AP),
Deputy City Attorney Kane (DCA), Recording Secretary Flores (RS)

2. AGENDA AMENDMENTS – None

3. COMMUNITY FORUM (Public Comments) - None

4. CONSENT CALENDAR

4A. Minutes of June 17, 2008

MOTION: By Commissioner Mercer, seconded by Commissioner Reed, to accept the Minutes of June 17, 2008, as presented.

Ayes: Mercer, Reed, Horton, Parsons

Noes: None

Abstain: Frautschi

Absent: Mayer, McKenzie

Motion passed 4/0/1/2

5. PUBLIC HEARINGS

5A. PUBLIC HEARING – 1348 SUNNYSLOPE AVENUE

The applicant(s) requests Single Family Design Review approval to construct a 1,204 square foot addition to the existing 1,914 square foot single family residence for a total of 3,118 square feet that is below the zoning district permitted 3,191 square feet for the site.
(Appl. No. 2008-0025)

APN: 045-263-060; Zoned: R-1C (Single Family Residential)

CEQA Status: Categorical Exemption per Section 15303

Applicants/Owners: John & Masako Houston

AP Gill summarized the Staff Report, recommending approval with the conditions attached.

Commissioner Mercer asked for clarification of what appeared to be a foundation already poured at the back of the house. AP Gill deferred the question to the applicant.

Commissioner Mercer felt that the project seemed to be a two-story house to which they are adding a third story, and wondered how that could be possible under 28'. AP Gill explained that it is a unique lot in that it slopes toward the front of the house as well as from left to right, so that it is a partial split story with the

height at about 20' in the front, 14-15' left to right, and 12' in the back. The height is calculated by taking the height off of the slope. For the record, Vice Chair Horton stated that it scales at 33' on the front elevation to the peak, noting that that is not how it is calculated.

AP Gill deferred Commissioner Frautschi's question regarding irrigation to the applicant and took note of the fact that Ginkos are non-native trees.

John Houston, homeowner, explained that the foundation in the back is there because, due to a number of water problems in the house, they had to re-do the entire foundation. In order to save money, they dug the back foundation about 6' off the back of the house and added a 4' section to create a back patio, and then they tried to incorporate that into the new design for the second story. He added that there are sprinklers on both sides of the front lawn and in the back, and that, since they have only about 10 to 11' on either side of the driveway, the arborist recommended the Ginkos because their root systems are less invasive than native trees.

Chair Parsons opened the Public Hearing. No one came forward to speak.

MOTION: By Vice Chair Horton, seconded by Commissioner Frautschi, to close the Public Hearing. Motion passed 5/0 by a show of hands.

Commissioner Mercer stated that she was able to make all of the findings except that the bulk is a close call; from the street it looks to her like a 3-story house, even though technically it is under the height limit, and the added patio space tends to take the house out another 6-8'. She would definitely want some trees of serious impact in the front to help offset the bulk, and stipulated that the Ginkos need to start with 24" boxes rather than the proposed 15" boxes, so that they get a good rapid start. With that added condition she could make all of the findings.

Commissioner Frautschi understood the choice of the Ginko and felt they would work perfectly with the lawn, and supported Commissioner Mercer's condition that they be 24" because they do not grow fast. He felt that the front entryway could have been finessed a bit more, noting that the upper railings are larger than the lower railing so that they add a larger look on the top of the building, and that the yellow was "very yellow." He could make all the findings with the adjustment to the size of the Ginkos.

Commissioner Reed could make all of the findings and thought it was a great project.

Vice Chair Horton concurred, and agreed that the yellow seemed a little dark and that the chosen roof color is difficult with some other colors. She felt that from a resale standpoint, with a grey roof the house could be painted any color.

Chair Parsons could make the findings, supported the condition for larger trees, and asked that they add a condition requiring that the site be photographed so that anything that is damaged that they plan on retaining will be restored. He agreed that they might want to consider toning down the color.

Motion: By Commissioner Frautschi, seconded by Reed, adopting the Resolution approving a Single-Family Design Review at 1348 Sunnyslope Avenue (Appl. No. 2008-0025) with the Conditions of Approval attached as Exhibit A, the change that the Ginko trees be 24-gallon rather than 15-gallon, and the added condition requiring photo documentation of the existing landscaping.

Ayes: Frautschi, Reed, Mercer, Horton, Parsons
Noes: None
Absent: Mayer, McKenzie

Motion passed 5/0/2

Chair Parsons announced that this item may be appealed to the City Council within 10 calendar days.

6. STUDY SESSION:

6A. Discussion of Conditional Use Permits, Variances and Floor Area Exceptions

CDD de Melo summarized the staff Memorandum, explaining the subject entitlements in detail and asking for Commissioners' questions and feedback that could possibly result in future Zone Text Amendments.

For the record, it is noted that Commissioner Frautschi had submitted his questions and comments in a memorandum dated July 14, 2008.

Commissioner Mercer stated that she had discussed her comments with CDD de Melo on the phone prior to the meeting but wanted it on the record that the current language refers in a general sense to approval of a use permit in a commercial or manufacturing district and when the RDA sites are developed as mixed use sites there will be questions about CUPs and Variances. She suggested that they take a closer look at this segment of the code to be prepared when mixed-use questions arise. CDD de Melo concurred, noting that the concern will be that they will potentially need to address any nuisance factors associated with mixed-use buildings that have residential on upper floors and commercial on ground floors.

Chair Parsons referred to a write-up received earlier from the City Attorney that talked about the differences. He and CDD de Melo suggested that the newer Commissioners focus on that write-up because it gets to the central point. Commissioner Mercer found it educational that Variances are pretty much dictated by State law and that Belmont's policy pretty much mimics that. CDD de Melo added that the FAR exception process is specific to Belmont and can be amended. DCA Kane pointed out that tying the findings to evidence that is actually brought to the Public Hearing is the key point and that the Variance sets a high bar, which is what makes it difficult.

CDD de Melo stated that the minor changes submitted by Commissioners Mercer and Frautschi could be implemented to streamline the process, but any wholesale change to the Zoning Ordinance is probably down the road. Chair Parsons suggested that the changes suggested be brought back to the Commission for discussion.

Commissioner Reed asked for the definition of "adversely affect" as used in Finding (d) for the CUP. CDD de Melo responded that it is addressed in the Administrative Approvals section (b) where it states if the "proposed use does not substantially increase impacts of traffic, noise, odor, vibration, parking or other objectionable elements to a residential neighborhood." Regarding an adverse impact of one complaining neighboring property owner, DCA Kane commented that the Commission is free to weigh competing evidence, so if one person comes in and complains they don't have to adopt that even if there's an uneven distribution, as long as there's reliable evidence in the records to the contrary. The Commission is not bound by one set of views provided the other has been provided and the finding can be made in the record. In other words, the provision does create some discretion under "adversely affect" and "general welfare," neither of which are thoroughly defined, and that, as a matter of interpretation under normal precedent, the fact that there is a clearer definition in another section of the code does not necessarily mean they need to import that definition; if it was meant to mean the same thing it would have been written to say the same thing in both places. She believed it is intended to give the Commission a little more discretion than the Administrative Approval process.

6B. Ralston Avenue Traffic & Round-About Simulation – Visual Presentation

CDD de Melo discussed a \$500,000 grant the City has received from Bay Area Air Quality Management District (BAAQMD) for Ralston Avenue traffic improvements and that a traffic engineer had been engaged by the City to model traffic impacts and issues during the 7:30 – 9:30 a.m. and 4:00 – 6:30 p.m. peak hours. He explained that the original intent was to construct a round-about at the Ralston/South/Holly intersection but there was concern that there was not enough right-of-way at that intersection. They then considered the installation of a 3-way traffic signal at South Road and shifting the round-about further to the west at the NDNU/Ralston intersection, and to seek BAAQMD approval to split the cost of the new traffic signal and a round-about. He was prepared to show a traffic simulation that shows that a demand-actuated signal at Holly would mean that traffic would be free-flowing along Ralston and would improve traffic circulation conditions, and that the bottleneck on Ralston at the peak times definitely starts to dissipate.

Chair Parsons commented that the traffic on Ralston is constant during the day, Belmont commuters do not have normal working hours, and that any proposal should be tied to a traffic count for the whole day. He felt that the definition of improving traffic in Belmont should be for residents to get in and out of the streets

they live on, not for people to use Ralston as a thoroughfare from 101 to 280, and would require putting the railroad tracks back at grade. He did not believe traffic is being improved if there are no breaks so people can get in and out of Chula Vista Drive or the college.

Noting that this project is the result of a grant from BAAQMD, Vice Chair Horton stated that BAAQMD clearly wants cars not to stop; they want cars to go straight through on Ralston. She felt that, with the exception of when traffic calming was considered for Hastings Drive and Chula Vista Drive, no consideration has ever been given in Belmont for the residents who need to move about the City. She felt that the peak hours are school hours – not the hours that have been measured – adding that Chula Vista has schools at both ends and in the middle, and nobody can get out of Notre Dame Avenue. All the residents of Chula Vista want is a 3-way stop and more stop signs on Ralston to make it uncomfortable for people who are cutting through from 280 to 101. She sees a huge conflict between the residents, staff and BAAQMD and believes they are working at cross purposes. In addition, the proposed round-about at Notre Dame would decimate a huge amount of beautiful landscaping.

CDD de Melo presented the traffic simulation as prepared by the consultant. Responding to Commissioners' comments during the presentation, CDD de Melo asked if the concern is that the data is not believable or that these traffic improvements will not achieve the depicted scenarios. Commissioners' responses are summarized as follows:

- The traffic as seen on the mid-section of Ralston seems kind of accurate but something seems to be gone awry with the assumption that somehow traffic magically disappears at El Camino (Mercer)
- The unintended consequences are what will happen at Alameda at Ralston and Notre Dame at Ralston in the evening – it is just shifting the choke point. (Parsons)
- The peak period should be when the high school and other schools are coming and going out of session, and they should have accurate counts of what comes off of those side streets and goes on those side streets every day at various times. (Parsons)
- Slowing the traffic going west on Ralston in the evening will put it all at Alameda and will make Carlmont Shopping Center crazy and then people will go down side streets to avoid that intersection. (Parsons)
- It cannot be fixed – there are too many cars. The only way to make it any better is to get rid of the cars. (Horton)
- That can be done by making it less attractive to cut from 92 to 101 by putting a light at Notre Dame, allowing parents to turn left or right after they drop their kids off, one at Chula Vista and one at South, all demand actuated. (Reed)
- Agreed with this general concept but not sure that there is any evidence that there is that much traffic purely cutting through. A lot or part of the traffic comes up into Belmont to one of the schools and turns around and goes back out again. (Mercer)
- Probably a combination - a lot of schools in the area and a lot of people using Ralston to cut through to get to work in the Redwood Shores area. (Reed)
- Proof of the pudding is the fact that before we had the grade crossing there was a lot less traffic because people didn't want to get stuck with the trains; Ralston wasn't used as a thoroughfare. (Parsons)
- Basic question is what is our goal for the round-about? Is it to improve the traffic for the neighbors and the people who live here to get to and from their homes and go to work and shop, or is it to move people up and down Ralston Avenue quicker, which means the people on the side streets can't get in and out? He would like to see the traffic studies and see where and when the counts were taken. (Parsons)
- If we're going to move traffic faster up Ralston what's going to happen at the Alameda and ElCamino? (Parsons)
- The simulation seems to drop off at 6th and at Notre Dame so you never see the end result of moving the traffic through that one area. It's just shifting it to the west and east. (Horton)

CDD de Melo asked if there is public health benefit to reducing the emissions along Ralston for the residents that are living on Ralston.

- Is it a public health benefit to make it safer for people to get in and out of their streets and for pedestrians to be able to cross Ralston? (Parsons)
- There are two ways to go about it: one is to reduce the stopping and starting and wait time, which is what this traffic circle and attenuated light are supposed to do, the other is to keep people on 92 and 101 where they don't have to stop and they're not cutting through the city. If you reduce the number of cars on Ralston by 20% you've forced 5,000 to keep going on 92 and then to 101. This would be a greater benefit than trying to force feed the 25,000 cars through with a few modifications to traffic stops, because the

choke points are still going to be at Alameda and El Camino – they’ve just been moved. (Reed)

- Getting into the shopping center is impossible at 5:00. (Parsons)

CDD de Melo asked if he was hearing from the Commission that wherever a traffic signal or round-about would go, the problem stems from the amount of cars, not where we stop them.

- The problem of neighbors getting in and out can be solved with more stops, but a round-about is not going to solve the problem for the people who live in this town and have to get around in the town – not crossing through town – and there is no benefit for people to be able to speed from 6th Avenue all the way up to wherever they’re going to get choked off at the Alameda. (Parsons)

CDD de Melo commented that the only thing that will get people to think twice about travelling up and down Ralston is to either a) start to create multiple stop signs along Ralston or b) start lane reductions from 6th going to the east or from Alameda going to the west. If that’s a policy decision that the Council and the City want to take on in light of all the opinions of the neighbors and residents and people who do business, work and go to school here, there’s going to be a backlash and a much larger problem.

- “What are we trying to solve with a round-about?” He would love to see it work but believes it is just moving the problem somewhere else. (Parsons)

- The goal has to be to accommodate the people who live here and to allow them to get out of the side streets. (Horton)

- Commissioners agreed that they would like to see copies of the data, including counts in and out of side streets and the schools taken at school dismissal hours.

- A round-about is not the only solution to bring cleaner air on the Ralston corridor. Would rather have the City’s traffic engineer regulating traffic through the city than to have this kind of self-regulating round-about. Just because \$500,000 is available to build a round-about doesn’t necessarily mean it needs to be done. Whatever is done it has to be a coordinated effort, not only with 6th Avenue and the university, it has to consider Chula Vista and Notre Dame; the way it is currently proposed is just going to shift the problem further. The City should not be in the business of making it easier for people to get through on Ralston but should be making it more difficult. This plan as a very poor idea that does not take into account what the City is trying to do with the pedestrian and bike routes. The traffic engineer has to look at the entire route of Ralston; would rather have the traffic back up onto 6th Avenue and the downtown area than in front of houses. (Frautschi)

CDD de Melo noted the challenge for Belmont is that Ralston is the only arterial through town.

- We wouldn’t have near as much traffic on upper Ralston if we weren’t connected to the Alameda which takes people out of San Carlos going to San Francisco. We have thoroughfares that pull traffic into our City to get to and from freeways. (Parsons)

Discussion ensued regarding commitments from NDNU and 1000 South Road relative to traffic improvements.

Chair Parsons suggested that an easy and cheap way to do some tests would be to put some stop signs at different places, slow down the traffic, and see what it does to allow people to get in and out of their neighborhood and what it does to the schools. CDD de Melo responded that the Council had already directed that before the City proceeds with this project they would actually do that at the two intersections under study on a temporary basis.

7. REPORTS, STUDIES AND UPDATES:

CDD de Melo reported as follows:

7A. Motel 6 – 1101 Shoreway Road

No update at this time. Will be working with the Police Department on setting up a future meeting with the motel’s security detail.

7B. NDNU (Koret) Athletic Field

The Task Force will be getting together soon after the beginning of the school year.

7C. Charles Armstrong School – 1405 Solana Drive

Meeting planned for August 5th.

7D. Ralston/US-101 Landscape Project

Spoke to landscape architects the previous Friday. They have met with CalTrans and are fine with the changes that the Commission proposed to the landscape plan. The next step is to meet with Redwood City to attempt to amend the existing encroachment permit.

Commissioner Frautschi thanked CDD de Melo for his successful efforts to get the weeds cut at the site.

7F. Caltrain Station Landscaping

CalTrain has been watering the trees, two of which are definitely dead and will be replaced. They have replaced the maintenance crew for that section and are in the midst of hiring another company.

7E. Potential Joint City Council Study Session – AT&T Light Speed Project – August 2008

Targeting August 12th at 6:00 p.m. to have a Study Session with the City Council to provide the Commission and Council an opportunity to comment on this State franchise project.

7G. Emmett House

Tree protection measures are in place, and they started connecting the foundation that day. The Council decided that it will be two rental units rather than to sell them, so that the City will maintain full control of the rentals and the grounds. The architect is currently working on some concept floor plans for review by the subcommittee. Chair Parsons suggested that citizen architects be invited to join the subcommittee.

Chair Parsons asked that staff get somebody to clean up the junk around the property, and added thanks to whoever was responsible for getting the front of the former hospice on El Camino cleaned up.

Commissioner Frautschi asked if the City will be forming a Housing Authority. CDD de Melo responded that he wouldn't call it that but added that they are going to have more housing issues that are within the City's control in terms of rental property, adding that the Council recommended that the property at 30 Oxford Place also be a rental on a temporary basis. They plan to form a system for making those units available to low market rate renters, which could potentially start with City employees and/or teachers. He added that a new part-time housing specialist, Laurie Shiels will be working on those issues. Responding to Commissioner Frautschi's question, he added that he believed all of the City-owned housing is within the RDA.

Reminder that there is a Joint Commission/Council meeting scheduled for July 29th at 7:00 to go over draft General Plan Amendment policy questions. They will receive a staff report next Thursday as well as a power point presentation.

Commissioner Mercer expressed her thanks to Public Works employees for how smoothly they did the irrigation work on the Ralston median, with little disruption of traffic.

8. CITY COUNCIL MEETING OF TUESDAY, JULY 22, 2008

Liaison: Vice Chair Horton

Alternate Liaison: Commissioner Frautschi

9. ADJOURNMENT:

The meeting was adjourned at 9:20 p.m. to a Regular Planning Commission Meeting on August 5, 2008, at 7:00 p.m. in Belmont City Hall.

Carlos de Melo
Planning Commission Secretary

CD's of Planning Commission Meetings are available in the
Community Development Department.
Please call (650) 595-7416 to schedule an appointment.